



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

Agency: Department of Labor and Industries

Subject of possible rule making:

General Reporting Rules, Classifications, Audit and Recordkeeping, Rates and Rating System for Workers' Compensation Insurance – Chapter 296-17 WAC The Department's workers' compensation reciprocal agreements with Oregon and Idaho, currently found in WAC 297-17-31009. Of particular concern is how reciprocity applies in the construction, temporary help, and janitorial/cleaning industries.

Statutes authorizing the agency to adopt rules on this subject:

RCW 51.16.035, RCW 51.16.100 and RCW 51.12.120

Reasons why rules on this subject may be needed and what they might accomplish:

The states of Oregon and Idaho have expressed an interest in re-negotiating the workers' compensation reciprocal agreements Washington current has with them. Having reciprocal agreements with other states is desirable because such agreements can prevent employers from being required to insure the same work in two states. Rules are needed because RCW 51.12.120 requires any re-negotiated agreement to be adopted in rule form.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

The Idaho Industrial Commission and the Oregon Department of Consumer and Business Services have indicated interest in re-negotiating our current agreements.

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe)

Labor and Industries will solicit input from the business community by way of direct mailings, the internet, focus meetings, and/or informal public meetings. Labor and Industries will use this input to formulate proposed changes to the existing rules and advise customers of future rule making by direct mailing and/or the internet.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Labor and Industries will mail notification to affected employers with ideas for the proposed changes. Employers will be encouraged to participate in the process to share ideas and/or attend meetings. Information regarding our process can be obtained at the Employer Services web site (www.lni.wa.gov/insurance_services/employer_services) and can submit comments electronically to ture235@lni.wa.gov or by mail to Labor and Industries, Attention Classification Services, P O Box 44148 or by calling (360) 902-4776 or by fax (360) 902-4729

DATE January 17, 2006	CODE REVISER USE ONLY WSR# 06-03-104
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